

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION**

Sharon Evans

Plaintiff,

v.

Northstar Location Services, LLC

Defendant.

Case No.

**COMPLAINT FOR DAMAGES
UNDER THE FAIR DEBT COLLECTION
PRACTICES ACT AND OTHER
EQUITABLE RELIEF**

JURY DEMAND ENDORSED HEREIN

PARTIES

1. Plaintiff, Sharon Evans (“Sharon”), is a natural person who resided in Rogue River, Oregon, at all times relevant to this action.
2. Defendant, Northstar Location Services, LLC (“NLS”), is a New York Limited Liability Company that maintained its principal place of business in Cheektowaga, New York, at all times relevant to this action.

JURISDICTION AND VENUE

3. Pursuant to 28 U.S.C. §1331, this Court has federal question jurisdiction over this matter as it arises under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §1692 et seq.
4. Pursuant to 28 U.S.C. §1391(b), venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

STATEMENT OF FACTS

5. At all times relevant to this action, NLS collected consumer debts.

6. NLS regularly uses instrumentalities of interstate commerce and the mails to collect consumer debts owed or due or asserted to be owed or due another.
7. The principal source of NLS's revenue is debt collection.
8. NLS is a "debt collector" as defined by 15 U.S.C. §1692a(6).
9. As described, *infra*, NLS contacted Sharon to collect a debt that was incurred primarily for personal, family, or household purposes.
10. This alleged obligation is a "debt" as defined by 15 U.S.C. §1692a(5).
11. Sharon is a "consumer" as defined by 15 U.S.C. §1692a(3).
12. Within the past twelve months, NLS began contacting Sharon on Sharon's home telephone in connection with the collection of the debt.
13. On more than one occasion, NLS threatened to proceed with pre-legal action if Sharon didn't pay the debt.
14. NLS has not taken any pre-legal action against Sharon.
15. NLS never intended to take any pre-legal action against Sharon.
16. On one occasion, Sharon attempted to explain her financial situation, but NLS talked over Sharon.
17. On one occasion, Sharon attempted to make a payment arrangement, but NLS would not accept Sharon's payment offer.
18. Thereafter, NLS began calling Sharon multiple times a day.
19. NLS caused Sharon emotional distress.
20. NLS attempted to collect a debt from Sharon.

COUNT ONE

Violation of the Fair Debt Collection Practices Act

21. Plaintiff re-alleges and incorporates by reference Paragraphs 12 through 20 above as if fully set forth herein.
22. Defendant violated 15 U.S.C. §1692d by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff in connection with the collection of the debt.

COUNT TWO

Violation of the Fair Debt Collection Practices Act

23. Plaintiff re-alleges and incorporates by reference Paragraphs 12 through 20 above as if fully set forth herein.
24. Defendant violated 15 U.S.C. §1692e by using false, deceptive, or misleading representations or means in connection with the collection of the debt.

COUNT THREE

Violation of the Fair Debt Collection Practices Act

25. Plaintiff re-alleges and incorporates by reference Paragraphs 12 through 20 above as if fully set forth herein.
26. Defendant violated 15 U.S.C. §1692f by using unfair or unconscionable means to collect the debt.

JURY DEMAND

27. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

28. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Hyslip & Taylor, LLC, LPA

By: /s/ Thomas A. McAvity
One of Plaintiff's Attorneys

Date: September 1, 2015

Of Counsel

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